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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/085,652

02/27/2002

Christopher Dean Farnes

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06/30/2006

HEWLETT-PACKARD COMPANY

Intellectual Property Administration

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EXAMINER

BOYCE, ANDRE D

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,652

Applicant(s)

FARNES ET AL.

Examiner

Andre Boyce

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-33 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4, 13, 14, 18, 19, 27-30 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Ulwick (USPN 6,115,691).

As per claim 1, Ulwick discloses a method for developing a solution to a customer experience issue (i.e., evaluation of potential solutions to achieve desired outcomes, column 7, lines 24-26), said method comprising: a) identifying a target customer including customer requirements and a customer profile (i.e., customers are identified, column 6, lines 7-10); b) defining a current customer experience (i.e., desired outcome for the customers, column 6, lines 18-20) and comparing it with a customer experience provided by a competitor (i.e., can organization compete effectively against other organizations, figure 19a); c) summarizing values and benefits that should be provided to said target customer (i.e., relative importance and satisfaction levels of desired outcome are quantified, column 6, lines 36-39); d) identifying metrics for measuring success of a solution (i.e., predictive metrics or predictive success factors, column 6, lines 54-57); e) identifying gaps between

current solutions and said benefits (i.e., quantifying the potential value of each alternate solution, column 7, lines 63-67); and f) generating solutions for delivering said benefits and selecting a solution path which delivers the greatest number of benefits (i.e., user is guided towards solutions that overcome specific weaknesses and allows them to integrate and combine positive elements of a solution into an optimal solution, column 8, lines 12-15).

As per claim 2, Ulwick discloses defining a future customer experience for said solution path (i.e., value of potential solution can be determined in advance of its actual development, column 8, lines 27-30).

As per claim 4, Ulwick discloses developing an architecture for implementing said solution path (i.e., implementation of the process on a computer system, column 13, lines 13-16).

As per claim 13, Ulwick discloses wherein said step a) comprises: collecting data about customers affected by said customer experience issue (i.e., external customer sets are identified and research is conducted, column 14, lines 40-42); segmenting customers and identifying a customer segment most affected by said customer experience issue, said customer segment representing said target customer (i.e., market segmented by what different customers value, column 15, lines 1-5); and identifying attributes of said target customer associated with said customer experience issue to generate said customer profile (i.e., segments represent a new market opportunity, column 15, lines 5-8).

As per claim 14, Ulwick discloses generating an environmental profile of said target customer, said environmental profile comprising attributes of an environment associated with said target customer (i.e., existence of segments that cut across traditional classification schemes, column 15, lines 5-7).

As per claim 18, Ulwick discloses said metrics comprise pre-release metrics and post-release metrics, wherein pre-release metrics are for measuring success during development of said solution path (i.e., create and quantify the value of a proposed solution in advance of its actual implementation, column 17, lines 25-28) and wherein post-release metrics are for measuring success after implementation of said solution path (i.e., continuous improvement of the solution, column 23, lines 3-7).

As per claim 19, Ulwick discloses wherein said step d) comprises: defining units of measure for said metrics (importance rating, column 18, lines 63-67); identifying measurement methods; defining criteria which indicate acceptable values for said metrics; and establishing baseline values for said metrics (column 18, lines 53-63).

As per claim 27, Ulwick discloses method for developing a solution to a customer experience issue (i.e., evaluation of potential solutions to achieve desired outcomes, column 7, lines 24-26), said method comprising: a) identifying gaps between current solutions and benefits that should be provided to a target customer (i.e., quantification of potential value, thus determining strengths and weaknesses in a solution, column 7, lines 63-67 and column 8, lines 10-12); b) generating solutions for delivering said benefits and selecting a solution path which delivers the greatest number of benefits (i.e., integration of positive elements to obtain optimal solution,

column 8, lines 12-15); c) defining a future customer experience for a selected solution (i.e., value of potential solution can be determined in advance of its actual development, column 8, lines 27-30); d) developing an architecture for implementing said solution path (i.e., implementation of the process on a computer system, column 13, lines 13-16); and e) defining use-cases describing task interactions between participants in said solution path and said solution path (i.e., analysis to ensure production and planning are considered in planning phase of the project, column 15, lines 56-59).

As per claim 28, Ulwick discloses defining a value delivery system identifying elements and participants associated with delivering said solution path to said target customer (i.e., internal customers, wherein the objective is to ensure that the solution delivers value to the internal and external customers, column 15, lines 28-32 and 40-42).

As per claim 29, Ulwick discloses identifying components of said future customer experience; identifying requirements for delivering each component of said future customer experience; and identifying participants who are associated with said components and delivery requirements (i.e., production is analyzed to insure that the resulting solution can be delivered, column 15, lines 51-61).

As per claim 30, Ulwick discloses identifying gaps in said value delivery system; and identifying solutions addressing gaps in said value delivery system (i.e., quantification of potential value, thus determining strengths and weaknesses in a solution, column 7, lines 63-67 and column 8, lines 10-12).

As per claim 33, Ulwick discloses identifying participants in said solution path (i.e., internal customers, column 14, lines 22-25); creating and prioritizing goals for said participants (i.e., evaluation and prioritization of organization desired outcomes, column 15, lines 44-50); identifying tasks for accomplishing goals selected according to their priority (i.e., production desired outcomes, column 15, lines 54-56); defining use-cases describing task interactions between said participants and said solution path (i.e., analysis to ensure production and planning are considered in planning phase of the project, column 15, lines 56-59); and identifying and addressing problems with said solution path using said use-cases (i.e., establishment of importance rating of desired outcomes, column 16, lines 6-11).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 5-12, 15-17, 20-26, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ulwick (USPN 6,115,691), in view of Bruce (US 2002/0049621).

As per claims 3 and 31, Ulwick does not explicitly disclose identifying milestones for delivering said values and benefits; identifying components of said

future customer experience for each milestone; generating a future customer experience flow by organizing future customer experience components for each milestone according to their order of occurrence; and aligning said solution path with said milestones. Bruce discloses the evaluation of a project or sub-project including milestone tracking, wherein a job is monitored for the completion of certain milestones or goals, wherein the job is simple broken down into smaller subsets (¶¶ 0463-0464). Both Ulwick and Bruce are concerned with obtaining organizational goals via performance indicators, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include identifying milestones; identifying components of said future customer experience for each milestone; and aligning said solution path with said milestones in Ulwick, as seen in Bruce, as an effective means of monitoring a job for the completion of certain milestones and goals, as disclosed by Bruce, thus making Ulwick more aware of the status of customer desired outcomes.

As per claims 5 and 32, Ulwick does not explicitly discloses identifying milestones for delivering said values and benefits; identifying components of said future customer experience for each milestone; identifying elements of said architecture needed for each milestone; and assembling said elements to construct said architecture. Bruce discloses the evaluation of a project or sub-project including milestone tracking, wherein a job is monitored for the completion of certain milestones or goals, wherein the job is simple broken down into smaller subsets (¶¶ 0463-0464). Both Ulwick and Bruce are concerned with obtaining organizational

goals via performance indicators, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include identifying milestones; identifying components of said future customer experience for each milestone; and identifying elements of said architecture needed for each milestone in Ulwick, as seen in Bruce, as an effective means of monitoring a job for the completion of certain milestones and goals, as disclosed by Bruce, thus making Ulwick more aware of the status of customer desired outcomes.

As per claim 6, Ulwick discloses identifying participants in said solution path (i.e., internal customers, column 14, lines 22-25); creating and prioritizing goals for said participants (i.e., evaluation and prioritization of organization desired outcomes, column 15, lines 44-50); identifying tasks for accomplishing goals selected according to their priority (i.e., production desired outcomes, column 15, lines 54-56); defining use-cases describing task interactions between said participants and said solution path (i.e., analysis to ensure production and planning are considered in planning phase of the project, column 15, lines 56-59); and identifying and addressing problems with said solution path using said use-cases (i.e., establishment of importance rating of desired outcomes, column 16, lines 6-11).

As per claim 7, Ulwick discloses defining a value delivery system identifying elements and participants associated with delivering said solution path to said target customer (i.e., internal customers, wherein the objective is to ensure that the solution delivers value to the internal and external customers, column 15, lines 28-32 and 40-42).

As per claim 8, Ulwick discloses identifying components of said future customer experience; identifying requirements for delivering each component of said future customer experience; and identifying participants who are associated with said components and delivery requirements (i.e., production is analyzed to insure that the resulting solution can be delivered, column 15, lines 51-61).

As per claim 9, Ulwick discloses identifying gaps in said value delivery system; and identifying solutions addressing gaps in said value delivery system (i.e., quantification of potential value, thus determining strengths and weaknesses in a solution, column 7, lines 63-67 and column 8, lines 10-12).

As per claims 10 and 11, Ulwick discloses defining scope and resources (i.e., desired outcomes for internal customers, column 15, lines 28-33). Ulwick does not disclose schedule for implementing said solution path and developing a schedule for measuring performance of said solution path against said metrics. Bruce discloses scheduling of activities for a project (i.e., implementation of a solution, ¶ 0114), wherein each activity has an operational component, representing the work done, (¶ 0115). Both Ulwick and Bruce are concerned with obtaining organizational goals via performance indicators, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include schedule for implementing said solution path and developing a schedule for measuring performance of said solution path against said metrics in Ulwick, as seen in Bruce, as an effective means of tracking the progress of the activities of the solution

implementation, thus making Ulwick more aware of the status of customer desired outcomes.

As per claim 12, Ulwick discloses measuring performance of said solution path (i.e., quantification of the potential value of each solution, column 7, lines 63-65); and identifying and implementing changes to said solution path to improve said performance (i.e., integration of positive elements to obtain optimal solution, column 8, lines 12-15).

As per claim 15, Ulwick discloses said step b) comprises: generating a customer experience flow by organizing components of said current customer experience according to their order of occurrence (i.e., predictive metrics of desired outcome, column 16, lines 18-21), wherein said customer experience flow is referenced to said customer requirements and identifies instances in which said customer requirements are unmet (i.e., quantification of potential value, thus determining strengths and weaknesses in a solution, column 7, lines 63-67 and column 8, lines 10-12); and updating said customer experience flow to include said gaps between said attributes (i.e., integration of positive elements to obtain optimal solution, column 8, lines 12-15). Ulwick does not disclose identifying gaps between attributes of said current customer experience and attributes of said customer experience provided by said competitor. Bruce discloses benchmarking/ best practices as a comparison tool, which compares related information of two different projects, which can include competitors (§ 0465). Both Ulwick and Bruce are concerned with obtaining organizational goals via performance indicators, therefore it would have been

obvious to one having ordinary skill in the art at the time the invention was made to include identifying gaps between attributes of said current customer experience and attributes of said customer experience provided by said competitor in Ulwick, as seen in Bruce, as an effective means of comparison, as disclosed by Bruce, thus making Ulwick more robust in determining solution implementation.

As per claims 16, 17 and 23, Ulwick discloses wherein said step c) comprises: identifying said benefits (i.e., customer desired outcomes, column 15, lines 1-5); categorizing said benefits according to their value to said target customer (column 15, lines 1-5); prioritizing said benefits according to their relative importance (i.e., outcomes are prioritized, column 15, lines 16-17); and selecting a subset of benefits according to their value (i.e., desired outcomes for a particular segment are ranked, column 15, lines 17-20). Ulwick does not explicitly disclose identifying milestones for delivering said values and benefits; and creating value propositions for each milestone, wherein a value proposition comprises a summary of value provided at each milestone, and aligning said solution path with said milestones. Bruce discloses the evaluation of a project or sub-project including milestone tracking, wherein a job is monitored for the completion of certain milestones or goals, wherein the job is simple broken down into smaller subsets (¶¶ 0463-0464). Both Ulwick and Bruce are concerned with obtaining organizational goals via performance indicators, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include identifying milestones; creating value propositions for each milestone; and aligning said solution path with said milestones

in Ulwick, as seen in Bruce, as an effective means of monitoring a job for the completion of certain milestones and goals, as disclosed by Bruce, thus making Ulwick more aware of the status of customer desired outcomes.

As per claim 20, Ulwick discloses a method for developing a solution to a customer experience issue (i.e., evaluation of potential solutions to achieve desired outcomes, column 7, lines 24-26), said method comprising: a) collecting data about customers affected by said customer experience issue (i.e., external customer sets are identified and research is conducted, column 14, lines 40-42); b) segmenting customers and identifying a customer segment most affected by said customer experience issue, said customer segment representing a target customer (i.e., market segmented by what different customers value, column 15, lines 1-5); c) identifying attributes of said target customer associated with said customer experience issue to generate a customer profile (i.e., segments represent a new market opportunity, column 15, lines 5-8); d) generating a customer experience flow by organizing components of a current customer experience according to their order of occurrence (i.e., predictive metrics of desired outcome, column 16, lines 18-21), wherein said customer experience flow identifies instances in which customer requirements are unmet (i.e., quantification of potential value, thus determining strengths and weaknesses in a solution, column 7, lines 63-67 and column 8, lines 10-12); f) summarizing values and benefits that should be provided to said target customer (i.e., customer desired outcomes, column 15, lines 1-5); and g) identifying metrics for measuring success of a solution (i.e., predictive metrics, column 16, lines

18-20). Ulwick does not disclose identifying gaps between attributes of said current customer experience and attributes of said customer experience provided by a competitor. Bruce discloses benchmarking/ best practices as a comparison tool, which compares related information of two different projects, which can include competitors (§ 0465). Both Ulwick and Bruce are concerned with obtaining organizational goals via performance indicators, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include identifying gaps between attributes of said current customer experience and attributes of said customer experience provided by said competitor in Ulwick, as seen in Bruce, as an effective means of comparison, as disclosed by Bruce, thus making Ulwick more robust in determining solution implementation.

As per claim 21, Ulwick discloses defining a future customer experience for said solution path (i.e., value of potential solution can be determined in advance of its actual development, column 8, lines 27-30).

As per claim 22, Ulwick discloses updating said customer experience flow to include said gaps between said attributes (i.e., quantification of potential value, thus determining strengths and weaknesses in a solution, column 7, lines 63-67 and column 8, lines 10-12).

As per claim 24, Ulwick discloses generating an environmental profile of said target customer, said environmental profile comprising attributes of an environment associated with said target customer (i.e., existence of segments that cut across traditional classification schemes, column 15, lines 5-7).

As per claim 25, Ulwick discloses said metrics comprise pre-release metrics and post-release metrics, wherein pre-release metrics are for measuring success during development of said solution path (i.e., create and quantify the value of a proposed solution in advance of its actual implementation, column 17, lines 25-28) and wherein post-release metrics are for measuring success after implementation of said solution path (i.e., continuous improvement of the solution, column 23, lines 3-7).

As per claim 26, Ulwick discloses wherein said step d) comprises: defining units of measure for said metrics (importance rating, column 18, lines 63-67); identifying measurement methods; defining criteria which indicate acceptable values for said metrics; and establishing baseline values for said metrics (column 18, lines 53-63).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Mancisidor et al (US 2002/0116243) disclose allowing an agent to interact with a customer to provide selection and recommendation of data network products.

-Freishtat et al (US 2005/0097000) disclose selling goods and services via the internet.

-Vincent (US 2002/0069101) discloses representing a customer's product purchasing profile.

-Rowan et al (US 2003/0149610) disclose strategic planning by an entity.

Art Unit: 3623

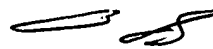
-Holliday et al (US 2003/0125962) disclose evaluating a business entity's success in developing new business.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571) 272-6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

adb
June 17, 2006


ANDRE BOYCE
PATENT EXAMINER
A.U. 3623